

REMARKS

Claims 253 and 262 have been amended to recite additional embodiments. In claim 253, the embodiment, receptor binding protein has been added. Amended claim 253 is supported by the specification on page 71, first full paragraph. Claim 262 has been amended to recite that the ionic interactions comprise a combination of polycationic and anionic interactions and this language is supported by the specification on page 74, lines 3-6. New claims 280-281 have been added to recite specific embodiments.

Restriction Requirement

It is asserted in the Office Action that this application contains claims directed to the following patentably distinct species of the claimed invention:

- (1) claim 245: monomeric units are bound to each other through noncovalent polymeric interactions of the polymers of the monomeric units, monomeric units are attached to a binding matrix, or both;
- (2) claims 246, 257: linear or branched;
- (3) claims 247, 258: homopolymer or heteropolymer;
- (4) claims 250: virus, phage, bacterium, non-bacteria cell or cellular material, tissue, organ, organism, or specific combination;
- (5) claims 251, 259: naturally occurring, modified natural compound, synthetic compound, recombinantly produced compound or a specific combination;
- (6) claim 252: protein, polysaccharide, fatty acid, fatty acid ester, polynucleotide, or a specific combination;
- (7) claim 253: antibody, hormone, growth factor, lymphokine, cytokine, cellular matrix protein, or a specific combination;

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- (8) claims 254: polyclonal or monoclonal;
- (9) claim 255, linear or circular;
- (10) claim 260: polypeptide, polynucleotide, polysaccharide, or a specific combination;
- (11) claim 261: ionic interactions, hydrogen bonding, dipole-dipole interactions, or a specific combination;
- (12) claim 262: polycationic or polyanionic;
- (13) claims 265-266: homogeneous or heterogeneous;
- (14) claim 275: charged polymer is polycationic, polyionic, polynucleotide, modified polynucleotide analog, or a specific combination; and
- (15) claim 277: antibody, an F(ab')₂ fragment or both.

Applicants respectfully traverse the rejection. Although 35 U.S.C. §121 provides that restriction may be required to one of two or more independent and distinct inventions, 37 C.F.R. §1.141 provides that a reasonable number of species may still be claimed in one application if the other conditions of the rule are met. Applicants note that in groups (2), (3), (8), (9), (12) or (13) there are only two species recited and in groups (1), and (15), there are only three species recited. It would certainly not be unduly burdensome to search such a limited number of species as set forth in the claims at hand. Applicants respectfully request, therefore, that the rejection be withdrawn upon reconsideration.

In order to be completely responsive, however, Applicants have made elections in each of the groups. These elections are summarized in the table below. Applicants note that claims readable on the species elected are also listed in the table.

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Group	Claims	Species Elected
(1)	245	Monomeric units are attached to a binding matrix
(2)	245, 246, 257	Linear
(3)	245, 247, 258	Heteropolymer
(4)	249, 250	Virus
(5)	245, 251, 259	Recombinantly produced compound
(6)	245, 252	Protein
(7)	245, 252, 253	Receptor Binding Protein ¹
(8)	245, 252, 253, 254	Polyclonal
(9)	245, 252, 255	Linear
(10)	245, 260	Polynucleotide
(11)	245, 261	Combination of ionic interactions, hydrogen bonding and dipole-dipole interactions
(12)	245, 261, 262, 280, 281	Polycationic and polyanionic interactions ²
(13)	245, 265-266	Heterogeneous
(14)	275	Polynucleotide
(15)	275, 276, 277	Antibody

Submission of Formal Patent Drawings

Applicants and their attorney are in the process of preparing formal patent drawings. As soon as that process has been completed, new formal drawings will be submitted. It is expected that the submission will be made well before the present one month extension will have expired.

¹ See amendment to claim 253

² See amendment to claim 262

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Rabbani et al.

Serial No.: 08/978,633

Filed: November 25, 1997

Page 7 [Response To December 3, 2002 Restriction Requirement
And Preliminary Amendment -- January 6, 2003]

Submission of Art-Related Documents

An Information Disclosure Statement is also being prepared. It is expected that an IDS will be submitted before the expiration of the present one-month extension period.

Favorable action on this application is respectfully requested.

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Page 8 [Response To December 3, 2002 Restriction Requirement
And Preliminary Amendment -- January 6, 2003]

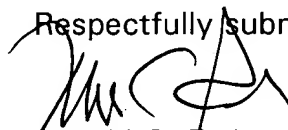
SUMMARY AND CONCLUSIONS

Claims 245-279 are presented for further examination. Claims 253 and 262 have been amended. Claims 280-281 have been added.

The claim fee for adding new claims 280 and 281 is \$18 based upon the small entity fee [2 claims X \$9 = \$18]. Small entity status was previously established and is still applicable. The Patent and Trademark Office is hereby authorized to charge the requisite \$18 claim fee to Deposit Account No. 05-1135. This response is also accompanied by a Request For Extension Of Time (1 Month) and authorization for the fee therefor. No other fee or fees are believed due in connection with this paper. In the event that any fee or fees are due for this paper, however, the Patent and Trademark Office is hereby authorized to charge any such fee or fees to Deposit Account No. 05-1135, or to credit any overpayment thereto.

If a telephone conversation would further the prosecution of the present application, Applicants' undersigned attorney requests that he be contacted at the number provided below.

Respectfully submitted,



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AMENDED CLAIMS-MARKED UP VERSION

253. (Amended) The composition of claim 252, wherein said protein is selected from an antibody, a hormone, a growth factor, a lymphokine or cytokine, ~~and a~~ cellular matrix protein, receptor binding protein, or a combination of any of the foregoing.

262. (Amended) The composition of claim 261, wherein said ionic interactions comprise polycationic interactions, ~~or~~ polyanionic interactions or combination of polycationic and anionic interactions.

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